IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

**CHARLESTON DIVISION** 

IN RE: ETHICON, INC. PELVIC REPAIR SYSTEMS

PRODUCTS LIABILITY LITIGATION

MDL 2327

THIS DOCUMENT RELATES TO CASES

**IDENTIFIED ON EXHIBIT A** 

MEMORANDUM OPINION AND ORDER

On June 24, 2020, I entered an order directing plaintiffs on Exhibit A to show cause in their

individual cases on or before July 24, 2020, why their individual cases should not be dismissed as

to the remaining defendants, including defendant Ethicon, Inc., Ethicon, LLC, Johnson & Johnson,

Boston Scientific Corporation, C.R. Bard, Inc., Sofradim Production SAS and/or Tissue Sciences

Laboratories Limited pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 41.1

of the Local Rules of Civil Procedure. The Order was sent to the plaintiffs on Exhibit A at their

last known address and posted on the court's website.

Plaintiffs have failed to respond to the Show Cause Order. Pursuant to Rule 41(b) of the

Federal Rules of Civil Procedure and Rule 41.1 of the Local Rules of Civil Procedure and after

weighing the factors identified in Ballard v. Carlson, 882 F.2d 93, 95 (4th Cir. 1989), the court

finds that the plaintiffs on Exhibit A have failed to prosecute their cases. The court **ORDERS** that

the above defendants, where named in the cases on Exhibit A, are dismissed without

prejudice. There are no remaining defendants in these cases on Exhibit A and therefor, the court

further ORDERS that the cases on Exhibit A are DISMISSED and STRICKEN from the court's

active docket. All pending motions are **DENIED** as moot.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and each plaintiff on Exhibit A at her address.

ENTER: July 27, 2020

OSEPH R. GOODWIN

UNITED STATES DISTRICT JUDGE

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## Exhibit A

Case Name	Case Number
Renee Bruce v. Ethicon, Inc., et al.	2:13-cv-19973
Doris Chelala v. Ethicon, Inc., et al.	2:13-cv-20086
Sara Marsh v. Ethicon, Inc., et al.	2:13-cv-03073
Eloise Martinez v. Ethicon, Inc., et al.	2:13-cv-32341